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MAR 10 2010

In re Patent No. 7,601,332 :
Vlahov et al. : DECISION ON REQUEST FOR
Issue Date: October 13, 2009 : RECONSIDERATION OF
Application No. 10/765,336 : PATENT TERM ADJUSTMENT
Filed: January 27, 2004 : AND NOTICE OF INTENT
Attorney Docket No. 20150-74359 : TO ISSUE CERTIFICATE OF
Title: VITAMIN RECEPTOR BINDING : CORRECTION
DRUG DELIVERY CONJUGATES :

This is a decision on the petition filed on February 1, 2010, which is being treated as a petition under 37 CFR 1.181 requesting that the patent term adjustment indicated on the above-identified patent be corrected to indicate that the term of the above-identified patent is extended or adjusted by one thousand fifty-five (1055) days. The petition was filed within two months of a decision by the Office mailed on December 16, 2009 dismissing applicant request for reconsideration of PTA under 37 CFR 1.705(d).

The petition to correct the patent term adjustment indicated on the above-identified patent to indicate that the term of the above-identified patent is extended or adjusted by one thousand fifty-four (1054) days is **GRANTED to the extent indicated herein.**

As the period from the filing date of the request for continued examination (RCE) to the issue date of the patent is not included in the "B" delay period, the over three year period begins on January 28, 2007 and ends on August 25, 2008, the day before the RCE was filed, and is 576 days. See 35 U.S.C. 154(b)(1)(B)(i). As such, the patent term adjustment is 576, not 577 days.

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The Office will *sua sponte* issue a certificate of correction.
Pursuant to 37 CFR 1.322, the Office will not issue a
certificate of correction without first providing assignee or

patentee an opportunity to be heard. Accordingly, patentees are
given **one (1) month or thirty (30) days**, whichever is longer,
from the mail date of this decision to respond. No extensions
of time will be granted under § 1.136.

The application is being forwarded to the Certificates of Branch
for issuance of a certificate of correction. The Office will
issue a certificate of correction indicating that the term of
the above-identified patent is extended or adjusted by **one
thousand fifty-four (1054) days**.

Telephone inquiries specific to this matter should be directed
to Petitions Attorney, Charlema Grant at (571) 272-3215.

/Kery A. Fries/

Kery Fries
Senior Legal Advisor Attorney
Office of Patent Legal Administration
Office of Associate Commissioner
For Patent Examination Policy

Enclosure: Copy of DRAFT Certificate of Correction

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT : 7,601,332 B2

DATED : October 13, 2009

DRAFT

INVENTOR(S) : Vlahov et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b) by 478 days

Delete the phrase "by 478 days" and insert – by 1054 days--